

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

JANET REETZ,

Plaintiff,

Case No. 10-11853

Hon. Marianne O. Battani

v.

COMMISSIONER OF
SOCIAL SECURITY,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION AND
REMANDING TO THE APPEALS COUNCIL**

On May 6, 2010, Plaintiff Janet Reetz filed an appeal of the denial of social security disability benefits. (Doc. 1). The case was referred to Magistrate Judge Michael Hluchaniuk for determination of all non-dispositive motions and issuance of a Report and Recommendation. (Doc. 3); See, 28 U.S.C. § 636(b)(1); E.D. Mich. LR 72.1(b)(3).

On October 19, 2010, the Magistrate Judge recommended that the Court deny Defendant's Motion to Dismiss and grant Plaintiff's request to remand this matter to the Appeals Council for consideration of her request to review. (Doc.13 at 5-6). The Magistrate Judge informed the parties that objections to the R&R must be filed within fourteen days of service and that a party's failure to file objections would waive any further right of appeal. See, (Doc. 13 at 6); 28 U.S.C. § 636(b)(1); E.D. Mich. LR 72.1(d)(2); Thomas v. Arn, 474 U.S. 140 (1985).

Because no objection has been filed in this case, the parties waived their right to

review and appeal. Accordingly, the Court **ADOPTS** the Report and Recommendation, **DENIES** Defendant's Motion to Dismiss (Doc. 8) and **REMANDS** this matter to the Appeals Council for a determination on Plaintiff's Request for Review Of Hearing Decision/Order.

IT IS SO ORDERED.

s/Marianne O. Battani
MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE

DATED: November 4, 2010

CERTIFICATE OF SERVICE

Copies of this Order were served upon Plaintiff and counsel of record on this date by ordinary mail and/or electronic filing.

s/Bernadette M. Thebolt
Case Manager